

REMARKS

Applicant notes that the continuity information requested by the Examiner was included on the Application Data Sheet, however, Applicant has amended the specification as requested.

Claim 2 stands objected to for lacking a period. By way of the above amendment, claim 2 has been amended to address the informality.

Claims 5, 7, and 9-10 stand rejected under 35 USC §112 second paragraph as being indefinite. By way of the above amendment, Applicant respectfully submits the claims have been amended to clarify the claimed subject matter. Claim 5 has been amended to clarify a narrower range of the cited iodic acids as present in claim 1. Claim 7 has been amended to address the Markush terminology as suggested by the Examiner. Claim 9 has been amended to clarify that the iodine matrix is formed between the reaction of the wood substrate and the periodic acid, the periodic acid having been stabilized by inclusion of an effective amount of the fluorinated surfactants.

Non-Statutory Obviousness Type Double Patenting

Claims 1-2, 5, and 7-10 stand rejected as being not patentably distinct over claims 1-4 of U.S. Pat. No. 6,537,357. Applicant submits herewith a Terminal Disclaimer and the required fee and respectfully submits that the rejection is traversed.

Inasmuch as all outstanding issues raised by the Examiner have been addressed, it is respectfully submitted that the present application is in condition for allowance, and action to such effect is earnestly solicited. The Examiner is encouraged to telephone the undersigned at his/her convenience should only minor issues remain after consideration of the present Amendment, to permit early resolution of same.

Please charge any additional fees required by this Amendment to Deposit Account No. 50-3172.

Respectfully submitted,

J BENNETT MULLINAX, LLC



J. Bennett Mullinax
Reg. No. 36,221